

Exhibit B



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July 22, 2009

VIA E-MAIL AND REGULAR U.S. MAIL

Lawrence L. Jones, II (larry@bccjlaw.com)
Jasper D. Ward (jasper@bccjlaw.com)
Bahe, Cook, Cantley & Jones, PLC
Kentucky Home Life Building
239 South Fifth Street, Suite 700
Louisville, KY 40202

Re: In Re: Digitek® Product Liability Litigation (MDL No. 1968)
Carla York, et al. v. Actavis Totowa, LLC, et al.
MDL Case No. 2:09-cv-00544
Your Clients: Carla York, Harold Richardson, Judy Whitaker,
Irma Wright, Veta Coon, Lorena Ard, and Mary Bond

Gentlemen:

We have been in the process of scheduling and taking class representative depositions per the timeframes mandated under MDL Pretrial Order No. 16. Your Complaint includes seven named class representatives. Given the tight deadlines in Pretrial Order No. 16, these depositions must be completed on or before August 15, 2009 to allow for treating physician depositions before class certification briefing begins in September 2009. Given this timeframe, please provide dates as soon as possible for the class representative depositions of the individuals identified above.

In addition, as class representative depositions have been scheduled, to date all but one of them have been cancelled because Plaintiffs' counsel have decided to dismiss all class allegations. At a minimum, Plaintiffs' counsel in this litigation are dismissing class allegations seeking certification of a personal injury or medical monitoring class. On that score, I enclose correspondence from defense counsel to Plaintiffs' MDL Leadership regarding Judge Goodwin's recent comments on class issues, the viability of medical monitoring and personal injury classes under Fourth Circuit law, and Defendants' intent to evaluate Rule 11 motions and/or recoup the costs associated with discovery required to oppose these classes. Thus, to the extent you are pursuing certification of either one of these classes, please advise as soon as possible of your intent to dismiss these classes, or pursue them. If I do not hear from you on or before July 28,



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2009, I will go ahead and notice the depositions of your clients for times and dates on or before August 15, 2009. I look forward to hearing from you shortly.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kristen Mayer', written over the typed name.

Kristen L. Mayer

KLM:lmk
Enc.

cc w/enc.: Harry F. Bell, Jr. (hfbell@belllaw.com)
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